1951.

File No. Prev of Cruelty II/51(R)

Legal Deptt.

B BRANCH

Subject:—

P=2/E

Rules under the Bombay Prevention of Cruelty to animals Act, 1890

File No. Prev of Cruelty II/57 (R)

Gen. 194 e

435-B

Office of the R.L.A.

The general principle of jurisprudence is embodied in section 2 of the Indian Penal Code which provides that every person is liable for his own act or omission contrary to the provisions of any law. It is true that in certain extreme cases enactments provide in public interest for making a person liable for the acts or omissions of his servant or agent. But the inclusion of a provision for vicarious responsibility is looked on with disfavour by courts and a provision of this nature is not enforced except in extremem cases. Section 6A of the Prevention of Cruelt to Animals Act has, to a certain extent provided for such vicarious responsibility and it would not be proper to extent the scope of that provision further. The view taken by the Commissioner of Police, Bombay, is correct and it would not be proper to accept the suggestion made by the Secretary to the Prevention of Cruelty to Animals Society.

Id/- J.R.D.
17/4

Remembrancer of Legal Affairs,

U.R. to H.D.No.6289,

dated the 18th April 1951.

JPE.16/7/56.
4 copies.